

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTORNEY DOCKET NO.  
401301/A. BRAUN**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 USC 371**

U.S. APPLICATION NO.



**09/890104**INTERNATIONAL APPLICATION NO.  
PCT/IB99/00180INTERNATIONAL FILING DATE  
January 29, 1999PRIORITY DATE CLAIMED  
January 29, 1999TITLE OF INVENTION  
PHARMACEUTICAL COMPOSITIONSAPPLICANT(S) FOR DO/EO/US  
HUBER, Gerald and GRUBER, Peter

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 USC 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
3. ☒ This is an express request to begin national examination procedures (35 USC 371(f)).
4. ☒ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☒ A copy of the International Application as filed (35 USC 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 USC 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 USC 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 USC 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 USC 371(c)(4)).
10. ☒ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 USC 371(c)(5)).
11. Nucleotide and/or Amino Acid Sequence Submission
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ Paper Copy
  - c. ☐ Statement verifying identity of above copies

**Items 12 to 19 below concern other document(s) or information included:**

12. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
  - ☐ Form PTO-1449
  - ☐ Copies of Listed Documents
13. ☐ An assignment for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
14. ☒ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☒ Application Data Sheet Under 37 CFR 1.76
18. ☒ Return Receipt Postcard
19. ☐ Other items or information:

U.S. APPLICATION NO. <b>09/890104</b>		INTERNATIONAL APPLICATION NO. <b>PCT/IB99/00180</b>		ATTORNEY DOCKET NO. <b>401301/A. BRAUN</b>			
20. <input checked="" type="checkbox"/> The following fees are submitted: <b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO..... \$1,000.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO..... \$ 860.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO, but international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... \$ 710.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$ 690.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1) to (4)..... \$ 100.00				CALCULATIONS		PTO USE ONLY	
<b>ENTER APPROPRIATE BASIC FEE AMOUNT=</b>				\$860.00			
Surcharge of \$130.00 for furnishing the National fee or oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date				\$			
<b>CLAIMS</b>		<b>NUMBER FILED</b>		<b>NUMBER EXTRA</b>		<b>RATE</b>	
Total Claims		21		-20=		x \$ 18.00	
Independent Claims		2		- 3 =		x \$ 80.00	
<input type="checkbox"/> Multiple Dependent Claim(s) (if applicable)				+\$270.00		\$	
<b>TOTAL OF ABOVE CALCULATIONS=</b>				\$878.00			
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$			
<b>SUBTOTAL=</b>				\$878.00			
Processing fee of \$130.00 for furnishing English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date.				\$			
<b>TOTAL NATIONAL FEE=</b>				\$			
Fee for recording the enclosed assignment. The assignment must be accompanied by an appropriate cover sheet. \$40.00 per property				+		\$	
<b>TOTAL FEE ENCLOSED=</b>				\$878.00			
				Amount to be:			
				refunded		\$	
				charged:		\$	
a. <input checked="" type="checkbox"/> A check in the amount of \$878.00 to cover the above fee is enclosed. b. <input type="checkbox"/> Please charge Deposit Account No. 12-1216 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 12-1216. A duplicate copy of this sheet is enclosed.							
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>							
SEND ALL CORRESPONDENCE TO:							
 PATENT & TRADEMARKS OFFICE				 Xavier Pillai, Registration No. 39,799 One of the Attorneys for Applicant(s)			
				July 26, '01 Date			